



# Department of Justice

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District of Delaware

FOR IMMEDIATE RELEASE  
WEDNESDAY, FEBRUARY 3, 2010  
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## ***Sex Offender Sentenced to 30 Years in Prison on Sex Tourism and Failure to Register Charges***

David C. Weiss, United States Attorney for the District of Delaware and John P. Kelleghan, Special Agent in Charge, Immigration and Customs Enforcement, Philadelphia, announced that Thomas S. Pendleton, age 66, was sentenced today by Chief U.S. District Judge Gregory M. Sleet to the statutory maximum of 30 years in prison and a lifetime of supervised release for violating the PROTECT Act ("Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003"), which makes it a crime for U.S. citizens to travel abroad and commit illicit sexual acts with minors. Pendleton was also sentenced today to a concurrent term of 10 years in prison for failing to register as a sex offender in violation of the Adam Walsh Child Protection and Safety Act of 2006.

In September 2009, a federal jury in Wilmington, Delaware, found Pendleton guilty of the PROTECT Act charge following a three-day trial. Evidence introduced at trial established that Pendleton traveled from Philadelphia, Pennsylvania, to Germany in November 2005, where he found his victim, a fourteen year old boy, who at the time was living in an orphanage. During the next several months, the defendant cultivated a friendship with the victim and made arrangements to go biking with him in May 2006, just after the victim turned 15. Testimony at trial established that, while on the bike trip, the victim woke up to find Pendleton fondling him. The victim and a witness from the German camp site where the crime occurred traveled to the United States to testify at the trial.

Pendleton was convicted in April 2009 in a separate trial for failing to register as a sex offender. He has three prior convictions for sexually molesting or assaulting children aged 9 through 13 years old in two U.S. states and in Latvia. In 1981, Pendleton had been convicted in a Michigan state court of Fourth Degree Criminal Contact in a case involving molestation of an 11 year old while Pendleton was serving as a church camp counselor at the victim's church.

In 1992, Pendleton was convicted in New Jersey state court of sexual assault, attempted aggravated sexual assault of a minor, and endangering the welfare of a child in a case involving sexual abuse of a 12 year old boy on biking trips in Virginia and New Jersey. Pendleton received a seven year sentence for that offense. The jury heard testimony from the now 32-year-old victim

of that prior offense at the September 2009 trial for the sex tourism charge.

Approximately three years after his release from New Jersey prison, Pendleton was convicted in the Republic of Latvia of sexually abusing a 9-year-old child and a 13-year-old child between June and November 2001, and was sentenced to three and a half years in prison there. He was released from Latvian prison and deported back to the United States on March 20, 2005, just 14 months before he traveled to Germany to commit the offense in this case.

He has been in federal custody since March 10, 2008, when the United States Marshals Service arrested him on the failure to register charge.

In sentencing the defendant, Chief Judge Sleet relied heavily on the defendant's history of sexually abusing children. The court further cited Pendleton's failure to accept responsibility for his crimes and the fact that the defendant's past prison sentences had failed to deter him. He found the sentence would protect the children from "further acts of depravity" perpetrated by the defendant.

U.S. Attorney Weiss said, "Thomas Pendleton is a sexual predator who has a long history of abusing children entrusted to his care. Recognizing that Pendleton poses an unacceptable risk to children, the court's sentence will ensure that he will be incarcerated or under federal supervision for the remainder of his life. This sentence will protect children here and abroad from sexual abuse by the defendant."

"The defendant thought he could avoid being caught by U.S. law enforcement by preying on children abroad. He was wrong," said John P. Kelleghan, special agent in charge of the ICE Office of Investigations in Philadelphia. "Child predators can no longer travel outside our borders to mask their crimes. ICE and our international law enforcement partners around the world stand vigilant to protect the most vulnerable among us, our children."

These cases were investigated by special agents of the U.S. Department of Homeland Security's Office of Immigration and Customs and Enforcement and Deputy Marshals of the United States Marshals Service. A computer forensic specialist from the High Tech Investigative Unit of the U.S. Department of Justice Child Exploitation and Obscenity Section (CEOS) performed an analysis of a computer and other digital media seized from the defendant. The case was prosecuted by Assistant U.S. Attorney Ilana Eisenstein of the U.S. Attorney's Office for the District of Delaware and CEOS Trial Attorney Jennifer Toritto Leonardo.

For further information, please contact United States Attorney David C. Weiss or Assistant United States Attorney Ilana H. Eisenstein.

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